

**STATEMENT FROM
MEAD JOHNSON NUTRITION
TO THE MICHIGAN HOUSE OF REPRESENTATIVES'
GREAT LAKES AND ENVIRONEMNT COMMITTEE
REGARDING HB 4522
THURSDAY, APRIL 29, 2010**

Mead Johnson Nutrition is global manufacturer of infant nutrition products. Our powdered infant formula facility is located in Zeeland, Michigan and produces all of the powdered infant formula that we sell in the United States. In addition, a substantial portion of the product we produce in Zeeland, Michigan is exported around the world for use by infants in other countries. Mead Johnson employs approximately 400 people in good-paying manufacturing and management positions, with good benefits, in Zeeland – the types of jobs that everyone concerned about the Michigan economy wants to emulate, nurture and grow. Enactment of HB 4522 into law could impact the ability of Mead Johnson Nutrition to conduct business in the state of Michigan.

In addition, Mead Johnson Nutrition is the contracted provider of infant formula to the Michigan WIC Program, in which over half of all Michigan infants are enrolled. As such, we are required, by the U.S. Department of Agriculture, to provide infant formula to WIC enrollees in three different forms: powder, liquid ready-to-use, and liquid concentrate. Currently, the ready-to-use and concentrate forms are packaged in metal cans.

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Any changes to the availability of the current set of infant formula package options would create a significant disruption to the important nutritional services that WIC provides to infants in low-income families. We are highly concerned that state attempts to regulate BPA in our food packaging could have such an effect on the approximately 48,000 infants in WIC that rely upon the program for their nutritional needs. Moreover, a ban on BPA could disproportionately impact infants enrolled in WIC, because they consume liquid infant formula, packaged in metal cans, at a much higher rate than the non-WIC population.

Another dimension to this issue relates to rebates paid by infant formula manufacturers to the WIC program. Nationally, infant formula manufacturers pay approximately \$2 billion per year in rebates to the states, which administer the federal WIC program. State action that attempts to regulate infant formula packaging and disrupts a company or companies' ability to participate in WIC may have an impact on the mandatory cost containment mechanism that currently pays for approximately 27% of all WIC program costs.

Finally, the Federal government, through the Food and Drug Administration and the Environmental Protection Agency, is heavily engaged in the study of BPA and a process to determine if additional regulatory controls are warranted. As recently as January of

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this year, the Food and Drug Administration reiterated the safety of BPA in infant formula packaging and advised parents not to change their feeding methods. Hundreds of researchers and scientists from the global scientific community are actively studying and evaluating BPA, and the FDA is collecting and reviewing their work. We believe that they are best positioned, from a resource and scientific standpoint, to make an objective, fact-based decision regarding the use of BPA.

We strongly urge the Members of the Michigan Legislature to carefully consider the underlying science and any potential impact on vulnerable infants of a new regulatory scheme related to BPA, before acting.

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